

# FAX

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<b>RE: Ser. No. 09/912,478</b>	<b>DATE: March 30, 2004</b>

**-- MESSAGE --**

**Dear Examiner Bergan:**

**Thank you for speaking with me earlier today. As a prelude to our telcon on Wednesday, April 7<sup>th</sup> at 11 AM, I am providing some information that I hope will clarify my motivation for the proposed amendment to the claims. If you should have any questions, I can be reached by email or by phone as listed below.**

**I look forward to speaking with you.**

**Regards,**

**Mike  
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**SALIENT FEATURES OF APPLICANT'S INVENTION:**

5 **Motivation** - (See application pg.2) Paraphrased, TV service providers are in constant competition with each other to attract customers to subscribe to their services. Once a customer has signed up with one service provider it is a hassle to switch thereafter for the reasons cited.

10 **Problem Solved By the invention-** (See application pgs. 2-3) – Paraphrased, a customer device connects to a gateway system, which allows the customer easily switch between an almost unlimited number of content providers without the hassle.

How does it operate ?

15 A user examines the offerings (packages) from each content provider, and at his leisure picks the package that suits him/her best. The gateway system facilitates subscription and subsequent access. At any time, the user can make another selection from the set of offerings (packages) presented to the user.

20 (I) In one embodiment – the user supplies registration information to the plurality of content providers so that when a switch occurs all that is required of the user is make a selection. In this manner, the process of selecting a content provider is virtually transparent to the user.

25 (II) In a further embodiment – the content providers only have to distribute their content and offerings to the gateway system and not to all individual consumer devices. This saves the content providers from having to deploy a large and expensive transmission infrastructure.

30 In a variation on this embodiment, the transmission to the gateway is transcoded to a format suitable for the consumer device. By transcoding the transmission, the consumer device does not need to be adapted when the user switches to a new content provider.

35 (III) In one embodiment – each content provider should be willing to pay the operator of a gateway between a consumer and the content provider a certain fee amount of the lifetime of the net present value (NPV) of a consumer that is added to the content provider's customer base. Essentially a middleman fee.

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**CLAIM 1 AS OF THE LATEST AMENDMENT FILED ON 11/24/03**

1. (Currently Amended) A method ~~of~~ for providing access to a consumer device (101), comprising the acts of:

allowing a user to obtain information with respect to at least one of a plurality of  
5 content providers (107, 108, 109) and to select a content provider (107, 108, 109) from  
said plurality of content providers (107, 108, 109), said information is obtained by  
selecting a set of representations (202-207), of offerings by wherein each representation  
provides information corresponding to at least one of the plurality of content providers  
(107, 108, 109),

10 receiving a selection (203) of a content provider from ~~the set~~ among the plurality  
of content providers (107, 108, 109), and

providing the selected content provider access to the consumer device (101).

**EXAMINER'S RESPONSE TO ARGUMENTS**

15 Applicant's arguments filed 11/24/03 have been fully considered but they are not  
persuasive. Applicant argued that the cited references (specifically Howe) does not  
disclose or suggest allowing a user to obtain information with respect to at least one of a  
plurality of content providers and to select a content provider where the information is  
20 obtained by selecting representations.

The Examiner reminds the applicant that claim language will be interpreted  
broadly, and the terms "information" and "representations" are not limiting as to scope.

25 Thus, Howe's disclosure of generating a screen image indicating the availability  
of additional content from a video service provider (col. 3, lines 65-67) is viewed as  
reading on applicant's claims, even in amended form.

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**PROPOSED NEW CLAIM IN LIGHT OF EXAMINER'S RESPONSE**

Cancel 1 and replace with new claims 13 and 14 as follows:

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~~13. 25.~~ (New) A method for providing access to a consumer device (101),

comprising the acts of:

electronically presenting to the consumer representations of services from

a plurality of content providers (107, 108, 109), each service being respectively offered

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by one content provider from among the plurality of content providers (107, 108, 109);

receiving a selection (203) from the user for a specific one of content

providers from among the plurality of content providers (107, 108, 109); and

providing the selected content provider access to the consumer device

(101).

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**New supporting claim:**

14. (New) The method of Claim 1, wherein said representations of services

include movie clips illustrating offering of at least one of the plurality of content

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providers (107, 108, 109), an interactive program simulating at least a portion of the

functionality of a system of at least one of the plurality of content providers (107, 108,

109).

25 **PRIMARY REFERENCE (HOWE) REVIEWED****SUMMARY OF THE INVENTION**

The present invention provides an approach for viewer-friendly and virtually instantaneous transitioning from a first analog based television program to a second  
30 program, particularly an interactive application program, and further permits a similarly

rapid and easily accomplished return to viewing the first program.

5 *Howe is directed to facilitating a user switching back and forth between*  
*(1) an analog TV program and*  
*(2) an interactive program,*

10 *Howe goes on to disclose :*

An interactive application must be associated with an identifying code such as an  
interactive callback address if it is to be invoked by subscribers. The provision of this  
code or address to subscribers in the context of other programming is what allows a  
15 subscriber 70 with the proper equipment and data links to invoke the interactive  
application.

20 **PRIMARY REFERENCE (HOWE) DISTINGUISHED**

Howe does not disclose at least the step of

*electronically presenting to the consumer representations of services from*  
*a plurality of content providers (107, 108, 109), each service being respectively offered*  
25 *by one content provider from among the plurality of content providers (107, 108, 109);*

As proposed above in Claim 13.

30 \* Other independent claims can be similarly amended.